

## **DETAILED ACTION**

1. This Amendment is being filed after Decision on Appeal (decided December 9, 2009). The Examiner also objected to claim 11 as being allowable if rewritten in independent form. Accordingly, Applicant has amended independent claim 10 to include features of allowable of dependent claim 11 (which depended directly from claim 10).

### ***Allowable Subject Matter***

2. Claims 10 and 12-13 are allowed.

The following is an examiner's statement of reasons for allowance:

Applicant's independent claim 10: The present invention is directed to a wireless communication device, the independent claim identifies the patentably distinct feature, "an internal antenna positioned in said housing adjacent said upper end of said back housing member; and an external, retractable antenna movably mounted on said internal antenna and being movable between a retracted position and an extended position with respect thereto; said internal antenna being in circuit with said transceiver circuit when said external antenna is in its said retracted position; said internal antenna being out of circuit with said transceiver circuit when said external antenna is in its said extended position; said external antenna being in circuit with said transceiver circuit when in its said extended position; and said external antenna being out of circuit with said transceiver circuit when in its said retracted position; wherein said internal antenna has a front and back sides and wherein said back side of said internal antenna has a remote RF port formed in its back side; said back housing member having formed therein which communicates with said remote RF port". Applicant's

independent claim 10 comprises a particular combination of elements, which is neither taught nor-suggested by prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Page 4

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/  
Examiner, Art Unit 2617

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